IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION NO.588 OF 2007

IN

CRIMINAL APPEAL NO.474 OF 2007

Surekha w/o Shrishail Badadal : Applicant.

versus

The State of Maharashtra : Respondent.

Mr.Rajiv Patil i/by Mr.V.V.Purvant for the applicant.

Mr.A.S.Shitole, APP, for the State.

CORAM : D.G.DESHPANDE

SMT.NISHITA MHATRE, JJ.

DATED : JUNE 25, 2007.

P.C.

1. Heard the learned advocate for the applicant and learned APP for the State. This is an application for bail. Applicant is a female. She is convicted under Section 302 for committing

murder of her sister-in-law by pouring kerosene upon her. There are two dying declarations in the way of this applicant/accused. However, there is no other evidence showing previous enmity, intention, motive or object of killing the victim.

2. The learned advocate for the applicant/accused submitted that the accused was on bail during trial for a period of one year. She has her own children to look after and also the children of the deceased sister-in-law. There is no question of her tampering the witnesses because apart from the dying declarations there are no witnesses. In view of this fact, this application is allowed. The applicant/accused be released on bail on executing her P.R. bond of Rs.7,500/- with one or two solvent sureties in the like amount. The applicant/accused shall attend the concerned police station once in a month in the first week. Substantive sentence of the applicant/accused is suspended, pending appeal. The applicant/accused will have to pay fine, if any, before she is released on bail. Application is disposed off accordingly.

[SMT.NISHITA MHATRE, J] [D.G.DESHPANDE,J]